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19 **UNITED STATES DISTRICT COURT**
20 **NORTHERN DISTRICT OF CALIFORNIA**

21 DELPHINE ALLEN, et al.,
22 Plaintiffs,
23 v.
24 CITY OF OAKLAND, et al.,
25 Defendants.
26

Master Case No.: C00-4599 TEH (JL)

**STIPULATION AND ORDER RE:
TASK 51 – COMPLIANCE AUDITS**

[Honorable Thelton E. Henderson]

STIPULATION

IT IS HEREBY STIPULATED by and between the parties that Section XIV, B, (Task 51) is hereby amended to allow for better coordination of and timing of the audits conducted by the Independent Monitoring Team and the City's Office of Inspector General in the six subject areas required by the Negotiated Settlement Agreement.

Section XIV, B. (Task 51), "Compliance Audits and Integrity Tests" shall read as follows:

Compliance Audits and Integrity Tests

Upon implementation of policies and procedures pursuant to this Agreement, OPD shall conduct audits of the following areas:

1. Arrest and offense reports, and follow-up investigation reports, including, but not limited to, arrests for narcotics-related possessory offenses not discovered in the course of a search pursuant to arrest for other crimes;
2. Use of force incident reports and use of force investigations;
3. Complaint processing and investigation, to include but not limited to timeliness and quality;
4. Mobile Data Terminal traffic;
5. Personnel evaluations;
6. Citizen accessibility to the complaint process and the availability of complaint forms;

The review of documents shall entail, at a minimum, a review for completeness of the information contained, and an examination for inappropriate "boilerplate" language, inconsistent information, or lack of articulation of the legal basis for the applicable action.

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1 *OPD shall conduct audits of the identified areas annually, unless the timing of*
2 *an IMT audit of the same area makes an OIG audit redundant or unnecessary.*
3 *If the OIG determines an audit of any of the six areas to be redundant or*
4 *unnecessary, an audit of another area outlined in this Agreement may be*
5 *substituted that would result in identifying and correcting other pressing*
6 *compliance issues. The OIG shall notify the IMT and determine due dates for*
7 *substitute audits.*

8 Audit methodology should include random and stratified sampling, where
9 appropriate.

10 The results of audits conducted pursuant to this paragraph shall be included
11 in OPD's semi-annual compliance reports.

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2 Dated: July 27, 2006

OAKLAND CITY ATTORNEY'S OFFICE

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4 By: /s/
5 ROCIO V. FIERRO, Attorneys for Defendant
CITY OF OAKLAND

6 Dated: July 27, 2006

RAINS, LUCIA & WILKINSON, LLP

7
8 By: /s/
9 ROCKNE LUCIA, Attorney for Interveners
OAKLAND POLICE OFFICERS ASSOCIATION

10 Dated: August 1, 2006

LAW OFFICES OF JAMES B. CHANIN

11
12 By: /s/
13 JAMES B. CHANIN, Attorney for Plaintiffs

14 Dated: August 2, 2006

LAW OFFICES OF JOHN BURRIS

15
16 By: /s/
JOHN L. BURRIS, Attorney for Plaintiffs

17 ATTORNEY ATTESTATION

18
19 I hereby attest that I have on file all holograph signatures for any signatures
20 indicated by a "conformed" signature (/s/) within this E-filed document.

21 Dated: August 9, 2006

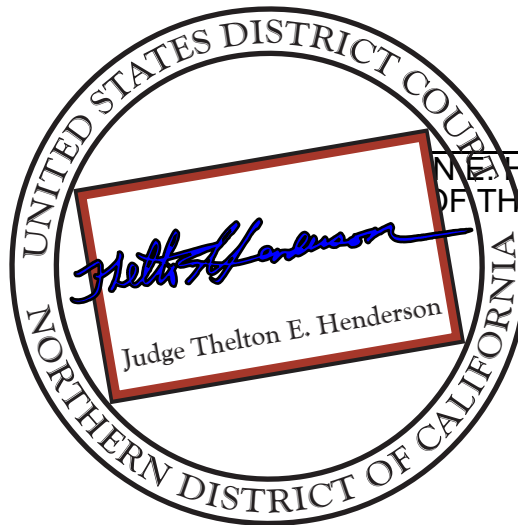
/s/
22 GREGORY M. FOX

ORDER

IT IS HEREBY ORDERED that Section XIV, B, "COMPLIANCE AUDITS AND INTEGRITY TESTS" of the Negotiated Settlement Agreement approved by this Court is hereby revised pursuant to the terms of the Parties' Stipulation.

IT IS SO ORDERED.

Dated: 08/11/06



Thelton E. Henderson
Judge of the District Court